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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BMA LLC, Yaroslav Kolchin and Vitaly
Dubinin,

Plaintiffs,

v.

HDR Global Trading Limited (a.k.a.
BitMEX), ABS Global Trading Limited,
Arthur Hayes, Ben Delo and Samuel Reed,

Defendants.

Lead Case No. 3:20-cv-03345-WHO

Consolidated Case No. 3:20-cv-07140-
WHO

**JOINT STIPULATION AND
ORDER REGARDING RELATION
AND CONSOLIDATION OF
GABRIEL-RAZVAN ACTION**

1 Plaintiffs BMA LLC, Yaroslav Kolchin, and Vitaly Dubinin (together “Plaintiffs”) and
 2 Defendants HDR Global Trading Limited (“HDR”), ABS Global Trading Limited (“ABS”),
 3 Arthur Hayes, Ben Delo, and Samuel Reed (together “Defendants”), through their counsel of
 4 record, stipulate as follows:

5 WHEREAS, on October 14, 2020, Plaintiffs’ counsel filed a lawsuit entitled *Dolgov v.*
 6 *HDR Global Trading Limited, et al.*, No. 3:20-cv-07140-WHO (the “*Dolgov* action”);

7 WHEREAS, on October 29, 2020, Defendants filed an Administrative Motion to Consider
 8 Whether Cases Should Be Related as to the present action and the *Dolgov* action (ECF 79);

9 WHEREAS, on November 4, 2020, Defendants moved to consolidate for all purposes the
 10 present action and the *Dolgov* action (ECF 85);

11 WHEREAS, on November 5, 2020, the Court granted Defendants’ Administrative Motion
 12 to Consider Whether Cases Should Be Related and ordered this action and the *Dolgov* action
 13 related (ECF 88);

14 WHEREAS, on November 10, 2020, the Court granted Defendants’ Motion to
 15 Consolidate the present action and the *Dolgov* action and ordered Plaintiffs to file an amended
 16 consolidated complaint by November 24, 2020 (ECF 94);

17 WHEREAS, on November 13, 2020, Plaintiffs’ counsel, after meeting and conferring with
 18 counsel for Defendants HDR and ABS and being unable to timely secure agreement of all named
 19 Defendants to extend the statute of limitations period¹, filed another lawsuit entitled *Paun*
 20 *Gabriel-Razvan v. HDR Global Trading Limited, et al.*, No. 3:20-cv-08034 (the “*Gabriel-Razvan*
 21 *action*”) in order to preserve the statute of limitations;

22 WHEREAS, the *Gabriel-Razvan* action is substantially similar to the present action and
 23 the *Dolgov* action and names identical defendants; and

24 WHEREAS, relating and consolidating the *Gabriel-Razvan* action with the present action
 25 will promote judicial efficiency and conserve resources.

26 NOW THEREFORE, pursuant to Civil Local Rule 3-12(a) and Federal Rule of Civil

27 _____
 28 ¹ The new plaintiff would be Păun Gabriel-Razvan, who alleges he sustained some of his
 losses on November 14, 2018.

1 Procedure 42(a), the undersigned parties, by and through their counsel of record, stipulate as
2 follows:

3 1. Subject to Court approval, the *Gabriel-Razvan* action is related to and consolidated
4 with the present action;

5 2. Plaintiffs will include the *Gabriel-Razvan* allegations in the single, consolidated
6 amended complaint to be filed in the present action as directed by the Court's November 10, 2020
7 order (ECF 94); and

8 3. By entering into this stipulation, Defendants expressly reserve all rights, defenses,
9 and objections in connection with the *Gabriel-Razvan* action and Plaintiffs' forthcoming
10 consolidated amended complaint.

1 Dated: November 24, 2020

Respectfully submitted,

2 JONES DAY

3
4 By: /s/ Stephen D. Hibbard

5 Stephen D. Hibbard

6 Counsel for Defendants
7 HDR GLOBAL TRADING LIMITED and
8 ABS GLOBAL TRADING LIMITED

9 AKIN GUMP STRAUSS HAUER & FELD
10 LLP

11 By: /s/ Peter I. Altman

12 Peter I. Altman

13 Counsel for Defendant
14 ARTHUR HAYES

15 BOIES SCHILLER FLEXNER LLP

16 By: /s/ Edward H. Takashima

17 Edward H. Takashima

18 Counsel for Defendant
19 BEN DELO

20 LATHAM & WATKINS, LLP

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22 By: /s/ Douglas K. Yatter

23 Douglas K. Yatter

24 Matthew Rawlinson

25 Counsel for Defendant
26 SAMUEL REED

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By: /s/ Pavel I. Pogodin, Ph.D.
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1 I, Stephen D. Hibbard, am the ECF User whose ID and password are being used to file
2 this JOINT STIPULATION AND [PROPOSED] ORDER REGARDING RELATION AND
3 CONSOLIDATION OF *GABRIEL-RAZVAN* ACTION. In compliance with Civil L.R. 5-1(i)(3), I
4 hereby attest that all signatories concur in this filing.

5 DATED: November 24, 2020

6 /s/ Stephen D. Hibbard
STEPHEN D. HIBBARD

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: November 25, 2020



HON. WILLIAM H. ORRICK
UNITED STATES DISTRICT JUDGE